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FIRST PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA

INTRODUCTION

1. By paragraphs 1 and 2 of its resolution 745 (1992), the Security Council approved the Secretary-General's report of 19 February 1992 (S/23613) containing my plan for implementing the mandate envisaged in the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict, and established the United Nations Transitional Authority in Cambodia (UNTAC) under its authority to carry out the plan.

2. By paragraph 10 of the same resolution, the Council requested the Secretary-General to report to the Security Council at stated intervals on progress made in the implementation of the resolution and on tasks still to be performed in the operation, with particular regard to the most effective and efficient use of resources.

3. The first report of the Secretary-General was to be submitted by 1 June 1992. However, on the basis of my visit to Cambodia from 18 to 20 April 1992, I believe that this is an appropriate juncture for this first progress report.

I. PROGRESS MADE TO DATE IN THE IMPLEMENTATION OF RESOLUTION 745 (1992) AND TASKS STILL TO BE PERFORMED

A. General

4. UNTAC has made a generally good start in Cambodia. A constructive working relationship has been established with the Supreme National Council (SNC) and with its President, HRH Prince Norodom Sihanouk; the repatriation of refugees from the border camps began on 30 March 1992 and is continuing without major hindrance; the cease-fire has been restored in Kompong Thom province, which had recently been the scene of armed clashes, and United Nations troops have been deployed there to monitor the separation of forces;

efforts have been made to reassure Cambodians that protection of their human rights will receive high priority; a country-wide survey has begun to gather the information required for the planning of the electoral process; and, during my visit to Cambodia, I issued an appeal for voluntary funds required to meet the rehabilitation needs of Cambodia. Also during my visit, I issued an appeal for States which had not yet done so to adhere to the Paris Agreements.

5. The arrival in Phnom Penh on 15 March 1992 of my Special Representative for Cambodia marked the initial deployment of UNTAC, which thereupon absorbed UNAMIC, the United Nations Advance Mission in Cambodia. Military units and personnel from a number of troop-contributing States have already arrived in the country and more are being deployed. UNTAC is therefore working towards an early start to Phase II of the cease-fire process (cantonment and demobilization phase). The date for this depends on the progress of military deployment and on the cooperation of the Cambodian parties.

6. The Phnom Penh authorities have agreed to provide some lodging facilities for the use of the Military Component, while the Party of Democratic Kampuchea has begun to remove restrictions on access by UNTAC to areas controlled by it and is permitting UNTAC to proceed with the reconnaissance and identification of sites for the regroupment and cantonment of forces.

B. Relations with the Supreme National Council

7. In accordance with article 3 of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991, 1/ the SNC is the unique legitimate body and source of authority in which, throughout the transitional period, the sovereignty, independence and unity of Cambodia are enshrined. By article 6 of the Agreement, the SNC delegated to the United Nations all powers necessary to ensure the implementation of the Agreement, as described in annex 1 to the Agreement.

8. Proceeding on the basis of the relevant provisions of the Agreement, my Special Representative has taken the initiative in drawing up, in close consultation with Prince Norodom Sihanouk, President of the SNC, agendas for the SNC's meetings and in making proposals for consideration and adoption by the SNC. The SNC has also agreed, on the proposal of my Special Representative, to establish Technical Advisory Committees in a number of areas of UNTAC's responsibilities to function as subsidiary organs of the SNC with a view to recommending to it specific courses of action. Each Technical Advisory Committee will be chaired by a senior UNTAC official.

9. Since UNTAC began its deployment in Cambodia on 15 March 1992, the SNC has held a total of five meetings (on 16 March, 1 and 6 April, and two meetings on 20 April). As a result of initiatives taken by UNTAC at these meetings, the SNC has reached agreement on a number of matters necessary for the implementation of the plan. In addition, as a confidence-building measure

and at the request of the SNC, UNTAC established on 1 April 1992 a "hot line" service linking the Special Representative and the Force Commander with a representative of each of the four Cambodian parties.

10. A more detailed report on progress achieved so far and tasks still to be performed by each component of UNTAC can be found below.

C. Human rights component

11. Following reports of violent incidents involving political figures, my Special Representative issued a statement on 19 March 1992 stressing UNTAC's determination, in accordance with article 16 of the Paris Agreement, to foster an environment in which human rights would be assured so as to permit the exercise of fundamental freedoms, including the right to participate in free and fair elections. In particular, it was stressed that preventing attacks on individuals, especially if they were politically motivated, and punishing those responsible for attacks that do occur, must be an important priority for the local authorities under UNTAC's supervision and control.

12. UNTAC has established a quick-response mechanism for investigating alleged human rights violations, composed of members of the human rights, civil administration and police components as appropriate. Some investigations have been completed and others are under way or pending.

13. The human rights component commenced its first training programmes for UNTAC police monitors in April and will use similar programmes, adapted as necessary, for local officials in the coming months.

14. On 20 April 1992, I attended a meeting of the SNC at which its members, including Prince Norodom Sihanouk, signed instruments of accession to the International Convention on Civil and Political Rights and the International Convention on Economic, Social and Cultural Rights. This formal legal undertaking is the first of a series of measures designed to create a free and neutral political environment within Cambodia. At the meeting, I emphasized that it was now up to the Cambodian parties to take necessary measures to ensure that the principles contained in the Covenants are applied in a concrete manner.

D. Electoral component

15. My Special Representative presented the draft electoral law drawn up by UNTAC to the SNC at its meeting on 1 April. In accordance with the terms of the Paris Agreement, the draft deals specifically with those matters which, under section D of annex 1 to the Paris Agreement, will be the subject of legal prescription.

16. At the SNC meeting on 6 April, members discussed the draft and made comments to which my Special Representative replied in writing on 13 April 1992. A further round of comments was made at the second SNC meeting on 20 April 1992. This process of consultation will be completed as soon as possible and the draft law will thereafter be promulgated by UNTAC in accordance with paragraph 3 (a) of section D of annex 1 to the Paris Agreement.

17. Initial work on the compilation of socio-demographic and cartographic data required for the detailed planning of the election process is being undertaken by the Advance Election Planning Unit, which was established in late 1991 and has now been integrated into the electoral component of UNTAC. The Unit has now completed initial visits to 19 of the 21 provinces of Cambodia, and visits to the remaining two provinces (Koh Kong and Kompong Thom) will have been completed by the end of April.

18. By 1 May 1992, 10 regional coordinators will be deployed to follow up on these activities and begin the actual data collection needed for voter registration.

19. Planning and preparation for voter registration and polling is also proceeding. However, the arrangements made for the purchase of major items of equipment are hampered by the need to ensure compliance with the existing rules governing purchases, which could result in a deferral for some weeks of the commencement of voter registration.

E. Military component

20. As of the end of April 1992, the total number of troops deployed within Cambodia was 3,694. The functions of the military component were summarized in paragraph 54 of my report to the Security Council on the implementation of UNTAC (S/23613). Its activities to date are described below.

1. Verification of the withdrawal and non-return of all categories of foreign forces and their arms and equipment

21. As of the entry into force of the Agreement on 23 October 1991, all foreign forces, advisers and military personnel remaining in Cambodia, together with their weapons, ammunition and equipment, were to have been withdrawn. UNTAC's role in this connection is twofold: to set up a number of check-points along Cambodia's borders, including maritime surveillance through coastal and riverine operations, and to deploy mobile monitoring teams of military observers to investigate allegations of the presence of foreign forces.

22. In document S/23613 it was foreseen that, subject to further assessment, 24 check-points would be established as follows: seven along the border with Thailand, nine along the border with Viet Nam, two along the border with the Lao People's Democratic Republic, one each at the ports of Kompong Som and Phnom Penh and one each at the airports at Phnom Penh, Battambang, Siem Reap

and Stung Treng. However, it may be necessary to modify either the total number of check-points to be established or their distribution along the various borders. A decision on this matter will be made once the detailed reconnaissance of all proposed sites which is now under way is complete. In the meantime, three check-points have already been established along the border with Viet Nam. In accordance with the plan, the military observers manning these check-points will be responsible for monitoring the cessation of outside military assistance to the Cambodian parties and the non-return of foreign forces.

2. Supervision of the cease-fire and related measures, including regroupment, cantonment, disarming and demobilization

23. The cease-fire has generally been maintained with the exception of Kompong Thom, where forces of all four Cambodian parties are present and where a number of armed clashes have occurred since mid-January 1992. On 28 February, an UNTAC helicopter on a reconnaissance mission in that area came under fire and an officer of the Australian contingent was wounded. UNTAC investigation indicated that members of the National Army of Democratic Kampuchea (NADK) had been responsible for the incident. NADK has said that its own investigation showed that its members were not responsible. UNTAC subsequently restored the cease-fire in Kompong Thom and 200 United Nations troops were deployed in the town of Kompong Thom to verify it while opposing forces effected a withdrawal. The situation has since remained generally quiet. The United Nations presence in Kompong Thom has been expanded and now stands at a total of 244 United Nations troops.

24. Progress has also been made in the establishment of regroupment and cantonment areas. While a total of 52 cantonment areas were envisaged in document S/23613, following discussions with the Cambodian parties, it has been agreed to establish a total of 55 cantonment areas, as follows:

- 33 cantonments for the Cambodian People's Armed Forces;
- 14 cantonments for the National Army of Democratic Kampuchea;
- 5 cantonments for the Khmer People's National Liberation Forces;
- 3 cantonments for the National Army of Independent Kampuchea.

The Party of Democratic Kampuchea has begun to remove some of the restrictions it had been placing on UNTAC's freedom of movement in areas under its control. However, it is not yet certain whether UNTAC will have the full freedom of movement it requires in these areas to reconnoitre and identify regroupment and cantonment areas.

3. Mine programmes

25. As noted in document S/23613, "The magnitude of the mine problem in Cambodia requires that a sizeable and intense effort should be undertaken in the very early stages to facilitate UNTAC's deployment and its manifold activities" (para. 80). It should be pointed out that the prevalence of unexploded mines will be a problem in Cambodia for many years to come and must be addressed increasingly by Cambodians themselves.

26. With this in mind, at its meeting on 20 April 1992, the Supreme National Council agreed to the establishment of the Cambodian Mine Action Centre under the presidency of Prince Norodom Sihanouk and the vice-presidency of my Special Representative. The Cambodian Mine Action Centre will assist in undertaking, inter alia, long-term programmes in mine awareness, mine-marking and mine-clearance. It is to be managed by a 10-member Governing Council, which was established by the end of April 1992, with 5 Cambodian members to be appointed by Prince Norodom Sihanouk and 5 other members to be appointed by my Special Representative.

27. UNTAC has also deployed six mine-clearing training teams in north-western Cambodia with a further four teams preparing to commence training. Graduates of these courses have already begun mine-clearing operations, and it is estimated that 5,000 Cambodians will have been trained in mine-clearing by the end of the year. In accordance with the implementation plan, many of these will be former soldiers of the forces of the four Cambodian parties. Training and deployment of these demobilized soldiers will be an important element in rehabilitation and the creation of employment, as well as in the prevention of banditry.

28. It has become apparent that the United Nations will need to pay and equip these newly trained mine-clearing personnel. Funds will be required not only for monthly wages, but also for compensation for families in the case of death or disablement.

4. Other activities

29. In addition, the military component of UNTAC has provided security assistance for the repatriation of refugees from the camps on the Thai border in the form of convoy escorts and a security presence in each of the reception centres. It is anticipated that this requirement will decrease as the UNTAC military and police presence becomes more pervasive.

30. A good start has been made on the repair of roads and bridges in the north-western provinces with priorities based on the need to ensure access for all UNTAC components throughout the imminent rainy season. Work has commenced on the other urgent priority of preparing the airfields in Phnom Penh and the central and northern provinces for UNTAC use.

F. Civil administration component

31. Article 6 of the Agreement contains the general provisions governing UNTAC's mandate in civil administration. In this article, it is stipulated that the objective is to "ensure a neutral political environment conducive to free and fair general elections". The specific framework within which UNTAC is to carry out its civil administration mandate is provided in section B of annex 1 to the Agreement.

32. The civil administration component has initiated contacts with the existing administrative structure in order to prepare the control functions provided for in article 6 and in section B of annex 1 to the Agreement and to determine which other agencies should be placed under UNTAC supervision and control.

33. Recruitment of the staff required by this component has begun, but is proceeding rather slowly because of the high degree of specialization in the functions required to be performed. In the meantime, the SNC has substantially approved operating procedures for the exercise of the right of assembly and freedom of association drawn up by the civil administration component and proposed to the SNC by the Special Representative.

34. Control of the agencies, bodies and offices dealing with the Cambodian information media began by late April, when technical means for monitoring Cambodian broadcast news media were in place. The potential to monitor other Cambodian news media is to be fully realized by June. Meanwhile, UNTAC plans to establish a Cambodian media committee under its chairmanship and with participation by Cambodian political groups in May. Also in May, UNTAC hopes to promulgate a code of media conduct to help ensure that freedom of the press and access to the media are fully respected in Cambodia and are not abused.

G. Police component

35. As of the end of April, a total of 193 civilian police monitors had arrived in Cambodia, and, in accordance with the recommendations contained in my implementation plan (S/23613), priority in their deployment has been given to Sisophon and Battambang, where Cambodian refugees and displaced persons are being resettled. Further deployments will take place in consultation with the Office of the United Nations High Commissioner for Refugees (UNHCR) as the repatriation process unfolds. In addition, civilian police monitors have been posted at the three border check-points established by the military component of UNTAC (see para. 22 above), and the remainder have been deployed in the Phnom Penh area. Additional deployment can be initiated as soon as the necessary logistic support is secured.

36. As noted in paragraph 113 of document S/23613, a number of factors are likely to affect the precarious security situation in Cambodia during the transitional period. The presence of United Nations civilian police monitors should, however, help to stabilize the situation. To date, Member States have

agreed to provide a total of 1,903 police monitors. It is my earnest hope that, with the cooperation of Member States, the full complement of 3,600 personnel needed for the police component will be secured in view of its crucial role in the creation of an environment conducive to the holding of free and fair elections.

H. Repatriation component

37. As noted above, repatriation began on 30 March 1992 with the return to Cambodia of 526 men, women and children. They were welcomed at the reception centre at Sisophon in north-west Cambodia by Prince Norodom Sihanouk, my Special Representative and staff of UNHCR, which is organizing the operation.

38. During the first 10 days of April, repatriation proceeded at a reduced pace to test the logistical arrangements as well as the absorption capacity in Cambodia. After a brief interruption for the Cambodian new year, repatriation movements resumed on 21 April 1992 and arrival rates will be increased. As of the end of April, a total of 5,763 persons had returned.

39. However, the difficulty of finding suitable mine-free land for the returnees, the congestion of urban areas, the unsatisfactory health situation within the country and the delays expected to arise during the rainy season have raised concerns that a number of refugees and displaced persons will not be able to return to their homes in time to take part in the electoral process. Since, as noted in paragraph 149 of document S/23613, "the implementation and integrity of the electoral process is dependent upon the prior repatriation of Cambodian refugees and displaced persons", it is clear that maximum flexibility will have to be exercised in the search for viable options for reintegration if the refugees and displaced persons are to return in time to register for the election. A geographical widening of land settlement options and diversification of non-agricultural solutions offered to returnees are being actively pursued.

I. Rehabilitation component

40. The Paris Agreements include a Declaration on the Rehabilitation and Reconstruction of Cambodia and established guidelines for the resumption of international assistance to support the peace process and the institution of a democratic Government.

41. On 20 April 1992, in Phnom Penh, I formally launched the appeal to the international donor community to provide $593 million to Cambodia. The funds will be used for food, health services, shelter, education, training and the restoration of the country's basic infrastructure, public utilities and supportive institutions to initiate the process of rehabilitation during the transition period. Also included is the cost of repatriating the refugees from Thailand, which was the subject of an earlier appeal in the amount of $116 million.

42. Resource requirements for the rehabilitation period include $81 million for the resettlement and reintegration of the repatriated refugees as well as internally displaced persons and demobilized soldiers. In the category of essential services, $44 million is required for food security, seeds, draft animals and agricultural equipment; $40 million for health, nutrition, potable water and sanitation and $33 million for education and training. Another $150 million will be needed for repair and restoration of public utilities, roads, ports, railways and other major infrastructural works. Finally, in order to avert runaway inflation and the disintegration of the civil service, the appeal seeks $111 million in commodity aid and balance-of-payments support in order to help stabilize the economic and social situation in the country.

43. In order to amplify the coordinating role of the SNC in rehabilitation, a Technical Advisory Committee on rehabilitation has been set up. Cooperating agencies and bilateral donors will be encouraged to address their proposals to this Technical Advisory Committee, which will make recommendations to the plenary meeting of the SNC.

J. Information requirements

44. With regard to the dissemination of UNTAC information, an UNTAC information bulletin will begin publication in May, and UNTAC will have access to existing radio transmission facilities in South-East Asia through which it will be able to broadcast UNTAC information and education programmes. At the same time, work will continue to identify the best means of disseminating UNTAC's message to the Cambodian population at large and to ensure that the public is fully informed of its rights and responsibilities in the matter of human rights and the electoral process as the mission unfolds. UNTAC radio programming will be produced by its information service in cooperation with other relevant components of UNTAC.

45. The staffing of the UNTAC information component has begun and is expected to accelerate rapidly beginning in late April.

II. CONCLUDING REMARKS

46. In this first progress report, it can be stated that UNTAC has begun to establish itself both politically and militarily in Cambodia. Work on all aspects of the mission's activities is proceeding at varying rates and some successes have been recorded by each component. During my visit to Cambodia, I was impressed to observe the high calibre and efficiency of the troops who were already there. In that connection, I wish to express my appreciation to the Governments which so speedily provided these contingents. At the same time, UNTAC has faced difficulties and delays in deployment which, if not remedied, could have a negative effect on the operation.

47. Since the arrival in Cambodia of my Special Representative on 15 March 1992, all senior officials of UNTAC have assumed their duties. However, the slow pace of the recruitment and deployment of civilian staff at the second and third echelons, particularly of the civil administration component, could impair UNTAC's ability to exercise adequate supervision and control where required. The pace of recruitment has, however, now accelerated.

48. The slower than expected pace of arrival of military contingents, and in particular the considerable difficulty experienced in securing and emplacing the equipment they need to bring with them, could also have an adverse impact on UNTAC's ability to maintain its tight schedule of operations. This would be the more regrettable in that much progress has been made in securing the cooperation of the parties.

49. Every effort is being made to address the difficulties mentioned in the present report and to discharge UNTAC's complex tasks within the time-frames envisaged in the implementation plan. However, I wish to note that the experience of mounting a large and complex United Nations operation such as UNTAC may point to the possible need to re-examine the manner in which existing financial and administrative rules and regulations of the Organization are applied to such operations.

Notes

1/ See S/23177, annex.